

REMARKS:

Claims 1-5, 11 and 12 are in the case and have been examined.

Claims 6-10 are withdrawn, but retained in case the Examiner considers them to properly further limit amended claim 1 and in case claim 1 is now considered allowable in view of the following arguments.

Applicant, however, affirms his election of the species V illustrated by Figs. 14 and 15 and is, therefore, believed entitled to examination of claims 1-5, 11 and 12.

The Examiner has objected to claim 2 and suggested language for incorporating the receptacle with its cover and overlapping parts with aligned holes as part of the combination of claim 2. This change has actually been made to claim 1 particularly in view of the Examiner's comments that the language suggested would make the claims more consistent with the scope of the claimed invention.

Claim 2 in that it depends from claim 1, thus, incorporates the amendments made to claim 1 and is believed in proper form on that basis.

The Examiner has also rejected claim 2 under 35 U.S.C. 112 for use of the term "bolt".

The undersigned has carefully reviewed the application and believes that the term "bolt" when applied to part 16 in all of the embodiments of the invention correctly describes the part which extends through the aligned holes and thus locks the cover to the receptacle. This is a classic function for a member called a "bolt" just like the bolt of lock (see the definition for a "dead bolt", for example).

The actuator which is number 22 throughout the specification is distinguished from the bolt and is the part which moves with respect to the bolt either axially in the elected and most other embodiments, or radially in the embodiment of Fig. 18.

All of the claims examined and even the claims that have been withdrawn are, therefore, believed to be in proper form under 35 U.S.C. 112.

The Examiner has also rejected claims 1, 4, 11 and 12 as being fully anticipated by U.S. Patent 5,322,300 to Mistrater (Mistrater '300).

Claim 1 has also been amended to define the release means to be the threaded outer end of the actuator 22 in Figs. 14 and 15 which carries a nut 22i. The threaded end also includes a screwdriver slit 22j which can be engaged to keep the actuator from rotating while the nut 22i is rotated to remove it from the threaded end of the actuator thus allowing the release function (specifically removing the nut reduces the effective diameter of the outer end of the actuator allowing the actuator to be pushed into the receptacle).

Turning to Fig. 1 of Mistrater '300 nut 18 is shown threaded to the end of shaft 16 which is an actuator for compressing an expansion part of the mandrel of Mistrater '300. There is no suggestion or provision for removing the nut 18, however, nor any purpose for performing that function. The end of 16 is clearly not provided with a screwdriver slit nor any reason for having a screwdriver slit. The alternate embodiments for element 18 also have even less provision for removing it from the shaft 16. See, for example, Mistrater '300 at column 6, starting on line 9, where the element 18 is described as a tension applying means which can take the form of cams, cylinders, screws, levers or a variety of other structures. In the embodiment of Fig. 5, for example, a cross pin fixes the tensioning element to the shaft 16 and another fixed arrangement is shown in Fig. 6. The embodiments of Figs. 7 and 8 provide no access for the shaft 16 at all.

There is also no suggestion that Mistrater '300 can or should be used for locking overlapping parts of a receptacle with a cover by insertion of a structure into the aligned holes. Such an environment, particularly where the receptacle is meant for waste, may cause undesired jamming of the lock of the present invention and some mechanism for releasing the jam. According to the present invention, release is achieved by reducing the diameter of the outer end of the actuator specifically by removing a bolt from that end and

allowing the actuator to be simply pushed into the receptacle. This permits the lock to be removed, in particular in claim 2 the bolt can be removed. This type of release can be adapted to each embodiment of the present invention so that the withdrawn claims are believed to properly further limit amended claim 1 and all of the claims are therefore now believed to be in condition for allowance.

Favorable action is respectfully requested.

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Respectfully submitted,



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